

Minutes
Regular Board Meeting
Aberdeen Town Board

November 8, 2010
Monday, 6:00 p.m.

Robert N. Page Municipal Building
Aberdeen, North Carolina

The Aberdeen Town Board met Monday, November 8, 2010 at 6:00 p.m. for the Regular Board Meeting. Members present were Mayor Elizabeth B. Mofield, Mayor Pro-tem Robbie Farrell and Commissioners Pat Ann McMurray, Jim Thomas, and Walter Wright. Commissioner Alan Parker was not in attendance for the meeting. Staff members in attendance were Fire Chief Phillip Richardson, Planner Pam Graham, Planning Director Kathy Liles, Town Manager Bill Zell, and Town Clerk Regina Rosy. Others in attendance were Allan Nanney, Tim Marcham, Maurice Holland, Eleese Goodwin, Barbara Allred, Adrian Allred, David Butler, Claudia Martin, Robert Martin, Jane Israel, Cy Israel, Elizabeth Mays, Rick Young, Martha Swaringen, Mary Ann Morrone, Pam Zell, and Reporter for the Fayetteville Observer Michael Zenni.

1. Call to Order

Mayor Mofield called the meeting to order at 6:00 p.m. and welcomed everyone in attendance.

a. Citizen's Academy Program Graduation.

Manager Zell gave a brief history of the Town of Aberdeen Citizen's Academy Program. Manager Zell stated there was a great group of people in the Citizen's Academy Program this year, and they are ready to be put to work for the Town and do great things for the Town of Aberdeen.

Manager Zell presented certificates to Barbara Allred, David Butler, Claudia Martin, Robert Martin, Tim Marcham, Jane Israel, Cy Israel, Elizabeth Mays, Rick Young, Martha Swaringen, Mary Anne Morrone, and Pam Zell. Manager Zell thanked the participants for taking the time to learn about how the Town of Aberdeen operates. Cy Israel stated it is very impressive all the work the Town does, and there is way more to it than a person realizes. Cy Israel stated government often gets a bad rap, but it is going really well in Aberdeen.

Mayor Mofield thanked Manager Zell for spending the time and energy on the Citizen's Academy Program. Mayor Mofield thanked the CAP participants for participating in the program and learning about how Aberdeen operates. Mayor Mofield stated Aberdeen is very frugal with taxpayer dollars.

2. Public Hearings

- a. An Ordinance concerning a twenty year Annexation Agreement between the Town of Aberdeen and the Town of Southern Pines regarding future annexations and areas in which each local government may not annex. (Cancelled)

Mayor Mofield stated the first public hearing regarding the annexation agreement with the Town of Southern Pines has been cancelled and will be rescheduled at a later date.

- b. Voluntary Annexation #45-310 submitted by John and Christie Gagan for property located at 616 Longleaf Road.

Mayor Mofield opened the public hearing on Voluntary Annexation #45-310 submitted by John and Christie Gagan for property located at 616 Longleaf Road.

Planning Director Liles stated the purpose is to accept testimony from persons owning property in the area to be annexed who allege an error in the petition.

Planning Director Liles stated the applicants are John and Christie Gagan, LRK# 49333. Planning Director Liles stated the legal notice was published in the Pilot for the public hearing.

Planning Director Liles displayed a map of where the property is located. Planning Director Liles stated the owner wants access to Town services, which is why they are seeking annexation.

Mayor Mofield asked about the blocks on the map and if houses are located on the lots. Planning Director Liles stated Developer Ron Jackson just didn't include this piece of property in his annexation process and it was left out.

With no further discussion or public comment, Mayor Mofield closed the public hearing on Voluntary Annexation #45-310 submitted by John and Christie Gagan for property located at 616 Longleaf Road.

- c. Application for Conditional Use Permit CU#10-02 submitted by Katie Burns to operate a Home Day Care at 717 N. Chestnut Street.

Mayor Mofield opened the public hearing on Application for Conditional Use Permit CU#10-02 submitted by Katie Burns to operate a Home Day Care at 717 N. Chestnut Street.

Town Clerk Regina Rosy swore in Planning Director Liles and Planner Pam Graham. Planning Director Liles showed a map of where the property is located. Planning Director Liles stated 717 N. Chestnut Street is located in a R-10 zoning district. Planning Director Liles stated the day care will be licensed through the

NC Health and Human Services Division of Child Development. Planning Director Liles stated state regulations allow a home daycare to provide for five of fewer preschool age children, and an additional three school age children.

Planning Director Liles stated the Planning Board unanimously recommended approval subject to the following conditions:

1. The home day care is limited to five preschool age children including preschoolers living in the home and up to three school age children. The Conditional Use Permit does not provide for licensing as a child care center.
2. No signage shall be placed on the exterior of the building.
3. A copy of the license as issued by the Division of Child Development shall be provided to Planning and Inspections before operation begins.
4. The child care operation is limited to not more than 25% of the square footage of the gross floor area (318 square feet).
5. Adequate parking is required in the drive including parking for all personal vehicles belonging to those living and working in the home and one space for drop offs.

Planning Director Liles stated staff recommends that the Board consider CU#10-02 and vote to approve or deny based on the recommendation of the Planning Board. Planning Director Liles entered into the record the staff report, power point presentation, and staff remarks.

Commissioner Thomas asked about the square footage of the rooms – Planning Director Liles stated there would be 2-3 rooms in the house that would be devoted to the day care. Mayor Pro-tem Farrell asked about the fence. Mayor Mofield clarified that the kids are probably all over the house, not just the 25% that is required by the Town. Planning Director Liles stated 25% is the limitation for any home occupation.

With no further discussion or public comment, Mayor Mofield closed the public hearing on Application for Conditional Use Permit CU#10-02 submitted by Katie Burns to operate a Home Day Care at 717 N. Chestnut Street.

- d. Public Hearing to allow citizen input on an application to the Local Government Commission for the financing of the Town of Aberdeen Fire Department Expansion Project.

Mayor Mofield opened the public hearing to allow citizen input on an application to the Local Government Commission for the financing of the Town of Aberdeen Fire Department Expansion Project.

Manager Zell stated the Town will be financing the Fire Dept. expansion through the USDA. Prior to construction, a loan has to be obtained through a local bank. Manager Zell stated because this project will go out for bid, there had to be a public hearing. Manager Zell stated the loan amount is \$1,144,900. Manager Zell stated bids will be received by December 1, 2010 and information has to be submitted to the LGC by December 7, 2010 for the January meeting.

Mayor Pro-tem Farrell asked if everyone received the letter from Fire Chief Richardson. Mayor Mofield stated the Board had some questions about amounts presented to the Board at the last work session. Manager Zell stated \$203,400 was received from USDA in the form of a grant. Manager Zell stated several items were not included in the bid for construction due to the possibility of cutting some costs by buying the items ourselves, rather than paying markup from the contractor. Commissioner Wright stated the Board has still not approved the prices for the grant. Manager Zell suggested discussing those items at the next Work Session.

With no further discussion or public comment, Mayor Mofield closed the public hearing to allow citizen input on an application to the Local Government Commission for the financing of the Town of Aberdeen Fire Department Expansion Project.

3. Setting of the Agenda

A motion was made by Commissioner Thomas, seconded by Commissioner Wright, to approve the setting of the agenda as presented. Motion unanimously carried.

4. Approval of the Consent Agenda

All items listed below are considered routine or have been discussed at length in previous meetings and will be enacted by one motion. No separate discussion will be held except on request by a member of the Board of Commissioners.

- a. Minutes of Regular Board Meeting on October 11, 2010 and Work Session on October 28, 2010.

A motion was made by Commissioner Wright, seconded by Commissioner Thomas, to approve the consent agenda as presented. Motion unanimously carried.

5. Informal Discussion and Public Comment

Mayor Mofield stated the downtown area will be having an open house this upcoming weekend. Friday and Saturday will be the open house. Mayor Mofield stated

ShopAberdeenNC.com is the website and it lists all the merchants and their plans for the open house.

Manager Zell stated this Saturday, November 13th will be the next household hazardous waste event.

Manager Zell stated Friday, November 19th will be the employee holiday luncheon from 12:00 p.m. – 2:00 p.m. Manager Zell stated the Board members are invited to come and serve drinks to the employees, or just to come enjoy a good lunch with the Town employees.

Manager Zell stated a road name is needed for the area from Park St. to the parking lot at Colonial Heights. Manager Zell stated once a road name is assigned, then the road can be added to the Powell Bill. Commissioner McMurray suggested we name it after an athlete of Aberdeen. Mayor Mofield suggested Marvin Lewis (instrumental at setting up little league). Mayor Mofield stated Mayor Pro-tem Farrell and Commissioner McMurray were also very instrumental.

Mayor Pro-tem Farrell stated the bizarre at Page Church is all day this upcoming Thursday.

Commissioner Wright asked about the public hearing on Ray's Mill Pond and when it would be held. Manager Zell stated he would find out and get that information to the Board.

6. Financial Report

Manager Zell stated the General Fund is \$395,655 to the good thru the end of October. Manager Zell stated noteworthy revenues and expenditures were listed on the financial report. Manager Zell stated October was a three payroll month which was a big expense.

Manager Zell stated the Water and Sewer Fund is \$37,667 to the good thru the end of October.

7. Old Business

None

8. New Business

- a. Annexation Ordinance #45-310 to Extend the Corporate Limits of the Town of Aberdeen, North Carolina submitted by John and Christie Gagan for property located at 616 Longleaf Road.

A motion was made by Commissioner Wright, seconded by Commissioner Thomas, to approve Annexation Ordinance #45-310 to Extend the Corporate Limits of the Town of Aberdeen, North Carolina submitted by John and Christie Gagan for property located at 616 Longleaf Road. Motion unanimously carried.

- b. Application RZ#10-02 to rezone twenty-one (21) contiguous properties within the Midway Community from R-20 Residential District to R-10 Residential District.

- (1) Amendment to the Official Zoning Map of the Town of Aberdeen, Moore County, North Carolina, RZ#10-02.

Planning Director Liles stated staff recommends that the Board consider the rezoning request. Planning Director Liles stated this rezoning is not consistent with the Land Development Plan, but that consistency is not required for approval.

- (2) Resolution Regarding Plan Consistency for Rezoning RZ#10-02.

Planning Director Liles stated her suggestion would be for the Board to adopt a resolution of consistency with the Land Development Plan, find it inconsistent, but also find a uniformity argument in that all lands in similar circumstances should be zoned alike, and adopt an ordinance approving the rezoning request.

A motion was made by Commissioner Wright, seconded by Mayor Pro-tem Farrell to approve the Resolution Regarding Plan Consistency for Rezoning RZ#10-02 even though the rezoning is inconsistent, but there is uniformity in that all lands in similar circumstances should be zoned alike, and adopt an ordinance approving the rezoning request. Motion unanimously carried. Mayor Mofield told the public that the reason for this rezoning issue was a previous mapping error years ago.

- c. Resolution Supporting the Green Growth Toolbox.

Planning Director Liles stated this item was discussed briefly during the last Work Session. A motion was made by Commissioner Thomas, seconded by Mayor Pro-tem Farrell to approve the Resolution Supporting the Green Growth Toolbox. Motion unanimously carried.

- d. Resolution Authorizing the Filing of an Application for Approval of a Financing Agreement Authorized by North Carolina General Statute 160A-20.

Manager Zell stated this is just a formal agreement. A motion was made by Commissioner McMurray, seconded by Commissioner Wright to approve the Resolution Authorizing the Filing of an Application for Approval of a Financing

Agreement Authorized by North Carolina General Statute 160A-20. Motion unanimously carried.

9. Other Business

None

10. Adjournment

With no further items for discussion, a motion was made by Commissioner Wright, seconded by Mayor Pro-tem Farrell, to adjourn the meeting. Motion unanimously carried.

Regina M. Rosy, Town Clerk

Minutes were completed in
Draft form on November 29, 2010

Elizabeth B. Mofield, Mayor

Minutes were approved
on December 13, 2010